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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 KEITH ADAIR DAVIS,

9 Plaintiff,

10 v.

11 WILLIAM HAYES, et. al.,

12 Defendant.

CASE NO. C16-1709 RSM-BAT

**ORDER DENYING MOTION TO
APPOINT COUNSEL**

13 Keith Adair Davis, has filed a second motion to appoint counsel. Dkt. 53. For the
14 following reasons, the Court **DENIES** the motion **without prejudice**.

15 The Court may appoint counsel for indigent civil litigants only under exceptional
16 circumstances. At this point, Mr. Davis has not presented exceptional circumstances that would
17 justify the appointment of counsel. Rather he has demonstrated the ability to litigate his case
18 vigorously, including seeking review in the Circuit Court of Appeals. Accordingly, the Court
19 **DENIES** the motion to appoint counsel, Dkt. 53, **without prejudice**. The Clerk shall send a
20 copy of this Order to Mr. Davis.

21 DATED this 8th day of September, 2017.

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BRIAN A. TSUCHIDA
United States Magistrate Judge